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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,890	12/10/2003	Jean-Jacques Born	ICB0163	5160
24203	7590	03/06/2006	EXAMINER	
GRIFFIN & SZIPL, PC SUITE PH-1 2300 NINTH STREET, SOUTH ARLINGTON, VA 22204			KAYES, SEAN PHILLIP	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/730,890

Applicant(s)

BORN ET AL.

Examiner

Sean Kayes

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/10/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Drawings***

1. The drawings are objected to because the boxes of figure 2 do not have any corresponding text. Please label for each box in figure 2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "optical valve" and "external control member" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities:

Satodate

The term "non time" should be corrected to read "non-time". There are at least 3 occurrences of the error on page 1 lines 3, 11, and 16. This error is repeated throughout the specification.

The term "non limitative" on page 1 line 27 should read "non-limitatvie."

Appropriate correction is required.

4. Claim 1 is objected to because of the following informalities:

It is unclear what is meant by "wherein said processing unit is provided with an algorithm or a correspondence table between a marking R_i , located in any position on the dial and angles α β formed respectively by each hand from a measurement reference and in that the shape of said hands is such that when they have the angular orientations α β their elongated parts can intersect above said marking R_i or their tips can be aligned opposite said marking R_i ."

Please rewrite this passage to clarify the meaning.

Appropriate correction is required.

5. Claim 15 is objected to because of the following informalities: "non time" should read "non-time."

6. It is unclear what is meant by "permanently give a first time related piece of information." Please rewrite this passage to clarify meaning.

7. Appropriate correction is required.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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9. Claims 12-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not disclose the storing unit contains the letters of the alphabet, that the control unit makes random selection of said letters from the storing unit, wherein there are two separate storing units for vowels and consonants (note: the specification mentions two subassemblies of a single storage unit for this purpose, but not two storage units,) the function of the electronic dictionary, or the interface with the dictionary.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-4, 6-9, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Satodate (WO01/55802, which has US equivalent US 6700836.)

12. With respect to claim 1 Satodate discloses a portable electronic apparatus for displaying a piece of information in an analogue manner, by means of two hands driven independently by two stepping motors said piece of information

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being represented on the dial via a plurality of markings R_i , said apparatus including: at least one information storing unit (603 figure 7); a unit (604 figure 7) for processing said information; a management and control unit (605 figure 7) receiving control signals from the processing unit a supply unit (battery/power supply) controlled by said management unit, and controlling the movement of said two stepping motors (200 and 222 figure 7) an external control member (101, 102, 106, and 105) enabling at least said piece of information to be displayed, wherein said processing unit is provided with an algorithm (see program column 5 line 18) or a correspondence table between a marking R_i located in any position on the dial and angles α β formed respectively by each hand from a measurement reference and in that the shape of said hands is such that when they have the angular orientations α β their elongated parts can intersect above said marking R_i or their tips can be aligned opposite said marking R_i . (The program regulates the positioning of the hands at angular orientations in order to properly display the time. The two hands overlap at least one position R_i , i.e. 12:00.)

13. With respect to claim 2 Satodate discloses an apparatus according to claim 1, wherein at least one hand (105 or 106 figure 1, 801 or 802 figure 9) is bent and delimits in rotation a small central circle comprising no markings R_i .

14. With respect to claim 3 Satodate discloses an apparatus according to claim 1, wherein at least one hand has a curved shape with a radius of curvature decreasing towards the centre of rotation of said hand (crescent moon hand, figure 3 item 105, the curvature is lower on the curve closer to the center while

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the curve farther away is larger. Similarly item 802 figure 9 has a decreasing radius of curvature.)

15. With respect to claim 4 Satodate discloses an apparatus according to claim 3, wherein one hand is rectilinear (101 and 102 figure 1) and the other hand is heart-shaped (802, figure 9), one branch of said other hand being active.

16. With respect to claim 6 Satodate discloses an apparatus according to claim 5, wherein a given value of an angle α or β corresponds to a determined number of steps of a stepping motor (Given that the hands are driven by step motors it is inherent that the angles α and β correspond to determined number of steps.)

17. With respect to claim 7 Satodate discloses an apparatus according to claim 1, wherein the alignment of the tips of both hands corresponds to markings R_i borne by the dial at its periphery (when hands are in alignment they point to the same indicia on the periphery.)

18. With respect to claim 8 Satodate discloses an apparatus according to claim 1, wherein it further includes a time base (601 and 602 figure 7) supplying control signals to said management and control unit for displaying a first time related piece of information via said hand in connection with symbols provided at the periphery of the dial.

19. With respect to claim 9 Satodate discloses an apparatus according to claim 8, wherein said measurement reference for angles α and β is the time reference at 12 o'clock, said angles α and β being measured between the time reference and a radius passing through the rotational axis of

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said hands and through their tip. (The movement of the hands is performed with respect to the angular orientation in order to display the time correctly, with 12:00 as the reference.)

20. With respect to claim 11 Satodate discloses an apparatus according to claim 8, wherein an optical valve is placed above the dial for masking the markings Ri with the exception of the hour-symbols when the apparatus is in current time reading mode (The watch has a face plate that covers up a wide variety of markings.)

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Satodate (WO 01/55802) in view of Lorello (US 5422864) in further view of Levesque (US 2536557.)

23. With respect to claim 5 Satodate discloses an apparatus according to claim 1. Satodate does not disclose wherein both hands are made of translucent material in two different colours.

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Translucent colored hands are well known in the art. For instance Lorello teaches two different colored hands (figure 1.) Levesque teaches translucent hands.

At the time of the invention it would have been obvious to one skilled in the art to make Satodate's invention with translucent hands of different color. The suggestion or motivation for doing so would be to increase visual attractiveness.

24. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Satodate (WO 01/55802) in view of Solomon (US 6154421.)

25. With respect to claim 10 Satodate discloses an apparatus according to claim 8. Satodate does not disclose wherein said time keeping circuit includes a calendar for the months and the dates, said calendar forming said storing unit for a second time related piece of information, and in that the markings Ri are formed of the twelve months of the year and by the numbers from 1 to 31, the first twelve numbers corresponding to the hour-symbols.

Solomon teaches using the 12 hour symbols as month indicators. Solomon also teaches using number 1-31 to indicate the day of the month.

At the time of the invention it would have been obvious to one skilled in the art to combine Solomon's month and day of the month system with Satodate's invention. The suggestion or motivation for doing so would be to provide additional information. (The two hands would overlap at least one position Ri at least one point, i.e. 12:00 during the month of December.)

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26. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satodate (WO 01/55802) in view of Tschannen (US 5444671.)

27. With respect to claim 12 Satodate discloses an apparatus according to claim 8. Satodate does not disclose wherein said storing unit contains the letters of the alphabet, corresponding to 26 marks distributed randomly on the dial and in that said management and control unit is arranged so as to make a random selection of said letters from the storing unit.

Tshannen teaches storing letters of the alphabet in a storage unit corresponding to 26 marks on the dial.

At the time of the invention it would have been obvious to one skilled in the art to combine Tshannen's information inputting dial and method of operation with Satodate's watch. The suggestion or motivation for doing so would be to enable a wider range ^{of} ~~of~~ data to be inputted and to allow the data to be inputted quicker.

28. With respect to claim 13 Satodate discloses Apparatus according to claim 12, wherein it includes two storing units, one for the vowels and one for the consonants, each storing unit being able to be selected by an appropriate manipulation of the external control member.

Using multiple storage units is well known in the art.

At the time of the invention it would have been obvious to one skilled in the art to use two storage units to store vowels and consonants separately.

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The suggestion or motivation for doing so would be to speed up the process of accessing information. Vowels are more commonly used than consonants so it would make sense to keep the information for vowels more readably accessible than that for consonants (for instance in a faster data storage means, like ram as opposed to rom.)

29. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satodate (WO 01/55802) in view of Tschannen (US 5444671) in further view of Will (US 5825353.)

30. With respect to claim 14 Satodate discloses an apparatus according to claim 12. Satodate does not disclose wherein it further includes an electronic dictionary that can be consulted on the basis of the letters selected from the storing unit.

Will teaches an electronic dictionary (figure 8c.)

At the time of the invention it would have been obvious to one skilled in the art to combine an electronic dictionary function as taught by Will with Satodate's device as modified in view of Tschannen (discussed in rejection to claim 12.)

31. With respect to claim 15 Satodate in view of Tschannen in further view of Will teaches an apparatus according to claim 12, wherein it is a wristwatch able to permanently give a first time related piece of information and, upon actuation of the external control member, a second time related or non-time related piece of information. (The second time related piece of information would be the result

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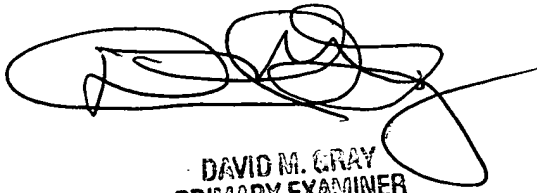
from a dictionary query as would result from the modification mentioned in the above rejection of claim 14.)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Kayes whose telephone number is (571) 272-8931. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on (571)272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SK
2/28/06



DAVID M. GRAY
PRIMARY EXAMINER